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TECHNOLOGY CENTER R3700

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Dear Sir/Madam,

I would like to complain about the way the USPTO handles correspondence, in particular about the time that it takes to register that you have got it.

The specific case is my application 10/031,776. I have received a final rejection which was sent on the 14 Nov 2003, which gave me three months to answer, i.e. the deadline was 14 Feb 2004. It took around a week to reach me, I sent an appeal (and brief) in two weeks, and you got it in another week, on the 11 Dec 2003, more than two months before the deadline. However, it was not registered on the file until the 6 Feb 2004, i.e. 8 days before the deadline.

I am a user of PAIR (customer number 33593), but couldn't see the correspondence. I therefore called the technology center and the customer service several times, wasting both my time and your people's time, trying to figure out what happened. In the end, it was found that you got it but it just wasn't registered.

It is unfair to give me a deadline of three months and then delaying the registering of the correspondence for almost two months, thus leaving me worrying that you haven't got it. When you give a deadline of only few month, the registering of the arrival of the correspondence should be done in few days at most, rather than two months.

I guess the delay was because of the time to perform the formalities associated with an appeal. The way around this is for the department that opens the correspondence to immediately register on the file that some correspondence arrived, without giving specific details. Later, the department that actually performs the formalities can add the exact details. This way the applicant will be assured that the correspondence arrived in the USPTO as soon as it does, without the need for the USPTO to perform all the formalities immediately.

Note that using Express Mail is not useful for me because I live outside the US. The PAIR system is actually exactly what I need, but it requires that correspondence that arrives to the USPTO is registered on file in a reasonable time.

By the way: I have another application, 10/070,236, which was forcibly abandoned on technicality, and was restored on 14 Oct 2003 after I sent a petition. It is still does not appear in my PAIR record, apparently because it still needs some processing. I don't see any reason why you couldn't have *all* applications in PAIR, whatever their status.

Thanks,

Yehouda Harpaz